

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	<u>INDICTMENT</u>
)	
Plaintiff,)	
)	CASE NO. _____
v.)	
)	Title 18, Sections 2261A,
DONNA J. MOONDA,)	1958, 924(c)(1)(A), 924(j) and 2,
aka Donna Smouse,)	United States Code
)	
Defendant.)	

COUNT 1

The Grand Jury charges:

That on or about May 13, 2005, in the Northern District of Ohio, Eastern Division, DONNA J. MOONDA, aka Donna Smouse, did willfully induce and procure Damian Bradford to travel in interstate commerce from Pennsylvania to Ohio with the intent to kill, injure, harass, and intimidate Dr. Gulam Moonda, and in the course of, and as a result of such travel, placed Dr. Moonda in reasonable fear of death or serious bodily injury, and

further, serious bodily injury to and the death of Dr. Gulam Moonda resulted through the use of a dangerous weapon, to wit, a firearm, in violation of Title 18, Sections 2261A and 2, United States Code.

COUNT 2

The Grand Jury further charges:

On or about May 13, 2005, in the Northern District of Ohio, Eastern Division, DONNA J. MOONDA, aka Donna Smouse, did knowingly use and carry a firearm during and in relation to a crime of violence for which said defendant may be prosecuted in a court of the United States, that is, Title 18, Sections 2261A and 2, United States Code, as charged in Count 1 of the Indictment, and further did brandish and discharge said firearm; in violation of Title 18, Sections 924(c)(1)(A) and 2, and in the course of said violation caused the death of Dr. Gulam Moonda through the use of a firearm, which killing was a murder as defined in Title 18, Section 1111, United States Code, in that the defendant, with malice aforethought, did unlawfully kill Dr. Gulam Moonda willfully, deliberately, maliciously, and with premeditation.

All in violation of Title 18, Section 924(j), United States Code.

COUNT 3

The Grand Jury further charges:

On or about May 13, 2005, in the Northern District of Ohio, Eastern Division, DONNA J. MOONDA, aka Donna Smouse, did travel and cause another to travel (including the intended victim, Dr. Gulam Moonda) in interstate commerce from

Pennsylvania to Ohio, with intent that the murder of Dr. Gulam Moonda be committed in violation of the laws of the State of Ohio, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, and conspired to do so, resulting in the death of Dr. Gulam Moonda, in violation of Title 18, United States Code, Section 1958.

COUNT 4

The Grand Jury further charges:

On or about May 13, 2005, in the Northern District of Ohio, Eastern Division, DONNA J. MOONDA, aka Donna Smouse, did knowingly use and carry a firearm during and in relation to a crime of violence for which said defendant may be prosecuted in a court of the United States, that is, Title 18, Section 1958, United States Code, as charged in Count 3 of the Indictment, and further did brandish and discharge said firearm; in violation of Title 18, Sections 924(c)(1)(A) and 2, and in the course of said violation caused the death of Dr. Gulam Moonda through the use of a firearm, which killing was a murder as defined in Title 18, Section 1111, United States Code, in that the defendant, with malice aforethought, did unlawfully kill Dr. Gulam Moonda willfully, deliberately, maliciously, and with premeditation.

All in violation of Title 18, Section 924(j), United States Code.

Notice of Special Findings

The grand jury repeats and realleges the accusations of Counts 1, 2, 3 and 4 of the indictment.

As to Counts 2, 3, and 4, the defendant DONNA J. MOONDA, aka Donna Smouse,

a. was 18 years of age or older at the time of the offenses described in Counts 2, 3 and 4.

b. intentionally participated in one or more acts, contemplating that the life of Dr. Gulam Moonda would be taken or intending that lethal force would be used in connection with a person, other than a participant in the offenses described in Counts 2, 3 and 4, and Dr. Gulam Moonda died as a direct result of such act or acts. (18 U.S.C. § 3591(a)(2)(C)).

c. intentionally and specifically engaged in one or more acts of violence knowing that the act or acts created a grave risk of death to a person, other than one of the participants in the offenses described in Counts 2, 3 and 4, such that participation in the act or acts constituted a reckless disregard for human life and Dr. Gulam Moonda died as a direct result of the act or acts. (18 U.S.C. § 3591(a)(2)(D)).

d. procured the commission of the offenses described in Counts 2, 3 and 4 by payment and promise of payment of anything of pecuniary value. (18 U.S.C. § 3592(c)(7)).

e. committed the offenses described in Counts 2, 3 and 4 in expectation of the receipt of anything of pecuniary value. (18 U.S.C. § 3592(c)(8)).

f. committed the offenses described in Counts 2, 3 and 4 after substantial planning and premeditation to cause the death of Dr. Gulam Moonda. (18 U.S.C. § 3592(c)(9)).
(Pursuant to Title 18, United States Code, Sections 3591 and 3592).

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.

United States v. Donna J. Moonda, aka Donna Smouse

A TRUE BILL.

FOREPERSON

GREGORY A. WHITE
United States Attorney